

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY DOCKET NO. <b>P08870US00/MP</b>
		US APPL. NO. (If known, see 37CFR 1.5) <b>10/569,963</b>
INTERNATIONAL APPLICATION NO. <b>PCT/GB2004/003637</b>	INTERNATIONAL FILING DATE <b>25 August 2004</b>	PRIORITY DATE CLAIMED <b>28 August 2003</b>
TITLE OF INVENTION: <b>PARTICLE OPTICAL APPARATUS</b>		
APPLICANT(S) FOR DO/EO/US: <b>CUBRIC et al</b>		

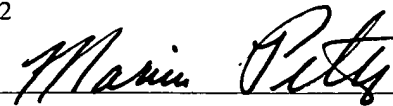
Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☒ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- ☐ 3. This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ 4. The US has been elected (Article 31).
- ☐ 5. A **copy** of the International Application as filed (35 U.S.C. 371 (c)(2))
  - ☐ a. is attached hereto (required only if not communicated by the International Bureau).
  - ☐ b. has been communicated by the International Bureau
  - ☐ c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ 6. An English **translation** of the International Application as filed (35 U.S.C. 371(c)(2)).
  - ☐ a. is attached hereto.
  - ☐ b. has been previously submitted under 35 U.S.C. 154(d)(4).
  - ☐ c. is not needed since the International Application is in English.
- ☐ 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3))
  - ☐ a. are attached hereto (required only if not communicated by the International Bureau).
  - ☐ b. have been communicated by the International Bureau.
  - ☐ c. have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ d. have not been made and will not be made.
- ☐ 8. An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ 9. An oath or **declaration** of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ 10. An English translation of the annexes to the Int'l Pre. Exam. Report under PCT Article 36 (35 USC 371(c)(5)).

**Items 11. to 20. below concern document(s) or information included:**

- ☒ 11. An **Information Disclosure Statement** under 37 C.F.R. 1.97 and 1.98.
- ☒ 12. An **Assignment** document for recording. A separate cover sheet in compliance with 37 CFR 3.28 & 3.31 is included.
- ☐ 13. A **preliminary amendment**.
- ☐ 14. An Application Data Sheet under 37 CFR 1.76.
- ☐ 15. A substitute specification.
- ☐ 16. A power of attorney and/or change of address letter.
- ☐ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 & 37 CFR 1.821-825.
- ☐ 18. A second copy of the published international application under 35 USC 154(d)(4).
- ☐ 19. A second copy of the English translation of the international application under 35 USC 154(d)(4).
- 20. **Other items or information:**
  - ☐ Return Receipt Postcard.
  - ☒ A copy of the Notification of Missing Requirements under 35 U.S.C. 371.
  - ☒ In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 21(c).
  - ☐

Date: January 29, 2007

U.S. APPLICATION NO. <i>(if known)</i> 10/569,963		INTERNATIONAL APPLICATION NO. PCT/GB2004/003637		ATTORNEY DOCKET NO. P08870US00/MP	
<b>The following fees have been submitted:</b>				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
<input type="checkbox"/> 21. Basic national fee (37 CFR 1.492(a)) \$300				\$	
<input type="checkbox"/> 22. Examination fee (37 CFR 1.492(c))					
<input type="checkbox"/> Written Opinion or IPER by US indicates all claims satisfy PCT Art. 33(1-4) \$0				\$	
<input type="checkbox"/> All other situations \$200					
<input type="checkbox"/> 23. Search fee					
<input type="checkbox"/> Written Opinion or IPER by US indicates all claims satisfy PCT Art. 33(1-4) \$0					
<input type="checkbox"/> Has been paid on the Int'l Appln. to the USPTO as ISA \$100				\$	
<input type="checkbox"/> International Search Report prepared and provided to the Office \$400					
<input type="checkbox"/> All other situations \$500					
<b>TOTAL OF 21, 22 AND 23</b>				\$	
<input type="checkbox"/> SIZE FEE: sheets - 100 = ÷ 50 = [rounded up] × \$250 =				\$	
<input checked="" type="checkbox"/> Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)) \$130				\$ 130	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total Claims	17 - 20 =	0	X \$50 =	\$0	
Independent Claims	1 - 03 =	0	X \$200 =	\$0	
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$360 =	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$130	
<input type="checkbox"/> Applicant claims small entity status - 37 CFR 1.27. Fees above reduced by ½.				\$	
<b>SUBTOTAL =</b>				\$130	
<input type="checkbox"/> Processing fee for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)) \$130				\$	
<b>TOTAL NATIONAL FEE =</b>				\$130	
<input checked="" type="checkbox"/> Fee for recording enclosed assignment (37 CFR 1.21(h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) \$40 per property				\$ 40	
<b>TOTAL FEES ENCLOSED =</b>				\$170	
Amount to be				<b>Refunded</b>	\$
				<b>Charged</b>	\$
<input checked="" type="checkbox"/> Payment of \$170.00 is made by attached Credit Card Payment Form (PTO-2038) <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required (except claims fees if the box below is checked) or credit any overpayment to Deposit Account No. 12-0555. <input type="checkbox"/> Do not charge any claim fees now - any additional claims fees will be paid with the Missing Requirements.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
POWER OF ATTORNEY & CORRESPONDENCE ADDRESS:  <b>CUSTOMER NO. 00881</b>  Date: January 29, 2007			NAME: Marvin Petry REG. NO.: 22752  Signed (for) by:  REG. NO.: 22752		

01/31/2007

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/569,963

FIRST NAMED APPLICANT

Dane Cubric

ATTY. DOCKET NO.

P08870US00MP

INTERNATIONAL APPLICATION NO.

PCT/GB04/03637

I.A. FILING DATE

08/02/2004

PRIORITY DATE

00881

STITES & HARBISON PLLC  
 1199 NORTH FAIRFAX STREET  
 SUITE 900  
 ALEXANDRIA, VA 22314

COPY

CONFIRMATION NO. 3348

371 FORMALITIES LETTER



\*OC000000021620008\*

Date Mailed: 12/15/2006

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### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/28/2006
- Copy of the International Search Report filed on 02/28/2006
- Preliminary Amendments filed on 02/28/2006
- U.S. Basic National Fees filed on 02/28/2006
- Priority Documents filed on 02/28/2006
- Specification filed on 02/28/2006
- Claims filed on 02/28/2006
- Abstracts filed on 02/28/2006
- Drawings filed on 02/28/2006

COPY

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DEC 19 2006

STITES &amp; HARBISON PLLC

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

COPY

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/569,963	PCT/GB04/03637	P08870US00MP

FORM PCT/DO/EO/905 (371 Formalities Notice)

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